

# Legal Assistance Resource Center ♦ of Connecticut, Inc. ♦

44 Capitol Avenue, Suite 301 ♦ Hartford, Connecticut 06106  
(860) 278-5688 x203 ♦ (860) 836-6355 cell ♦ (860) 278-2957 fax ♦ RPodolsky@larcc.org

## **H.B. 5371 -- Demolition of public housing**

Housing Committee public hearing -- March 4, 2010

Testimony of Raphael L. Podolsky

<b>Recommended Committee action: NO ACTION</b>
--

We oppose this bill because it will result in the loss, without full replacement, of essential parts of Connecticut's public housing stock. Connecticut in recent years has lost to demolition a larger percentage of its public housing than any other state. Contrary to its title, this bill is not about "affordable housing replacement" but is instead solely about the reduction of low-income public housing units. Connecticut's public housing stock is an incredibly important resource for the lowest income residents of this state. Any loss of public housing units is permanent and causes significant damage to the housing market for those who are very poor. It is essential that efforts to modernize public housing not result in a net loss of the number of units in the local housing market which are available to very low income households.

Since 1989, Connecticut law (C.G.S. 8-64a) has prohibited housing authorities from demolishing or selling off their public housing without fully replacing it, unless the plan meets certain standards and is approved by DECD after a public hearing. One of those standards for demolition without replacement is that there be an adequate supply of low or moderate rental housing in the community, a condition that few municipalities would meet. This is because public housing tends to serve families of the lowest income who can least afford to pay rents in the private market. The existing statute does not preclude modernizing public housing, nor does it require that replacement units be located on the same site as the housing that is being replaced. All sorts of creative modernization solutions exist, from rehabilitation of existing units on-site to mixing incomes on-site and generating the balance of units elsewhere in the town. The essential purpose of C.G.S. 8-64a, however, is to assure that the number of low-income units in the town's housing market will, after any demolition or sale of public housing units, be no less than before demolition or sale. Indeed, the Stamford Housing Authority, which has been the most active developer of new public housing in Connecticut, has built that housing under a Stamford municipal ordinance that explicitly requires one-for-one replacement of lost units.

H.B. 5371, however, moves in exactly the wrong direction. It would suspend 8-64a for three years for the 31 towns exempt from the Affordable Housing Appeals law. This effectively exempts nearly all public housing in the state from C.G.S. 8-64a, because most public housing is located in those very towns. Once demolished without a replacement plan, such units will never be replaced, since the key to replacement is including funding for replacement in the demolition plan itself, much as happens with the federal HOPE VI revitalization program. H.B. 5371 will seriously damage the ability of low-income families to find housing they can afford. It should be rejected.

(continued on reverse side.....)

If any change is to be made to 8-64a, it should be to restore clear one-for-one replacement language similar to what was in this statute before 1996. To accomplish that, all new language in the bill should be removed and lines 24-30 of the bill should be amended as follows:

The commissioner shall [consider the extent to which the housing] not grant such approval unless the commissioner also finds that all dwelling units which are to be sold, leased, transferred or destroyed will be replaced with at least an equal number of units available for rental by persons with the income levels as the households which most recently occupied such sold, leased, transferred or destroyed units, [in ways] which replacement units may include[, but need not be limited to,] newly constructed housing, rehabilitation of housing which is abandoned or has been vacant for at least one year, or new federal, state or local [tenant-based or] project-based rental subsidies that are in addition to and not in place of any previously authorized rental subsidies. All of the replacement units need not be on the same site as the sold, leased, transferred or destroyed units.